



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Board of Boiler Rules (Department of Labor and Industries)

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 07-03-160 ; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR _____; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: Board of Boiler Rules – Substantive (Chapter 296-104 WAC)**Hearing location(s):**

Department of Labor and Industries
950 Broadway, Suite 200
Tacoma, Washington

Date: May 9, 2007 **Time:** 10:00 am**Submit written comments to:**

Name: Sally Elliott
Department of Labor and Industries
Address: Post Office Box 44400
Olympia, Washington 98504-4400
e-mail yous235@lni.wa.gov
fax (360) 902-5292 by 5:00 pm on May 9, 2007

Assistance for persons with disabilities: Contact

Sally Elliott by April 15, 2007

yous235@lni.wa.gov or (360) 902-6411

Date of intended adoption: May 22, 2007
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Board of Boiler Rules is proposing a 3.38% (rounded down to the nearest tenth of a dollar) general fee increase. The 3.38% rate is the Office of Financial Management's maximum allowable fiscal growth rate factor for fiscal year 2007. The general fee increase is necessary to help offset inflation and to maintain the financial health and operational effectiveness of the program. The board also recommended making clarifying changes to how rules are interpreted and revised.

Reasons supporting proposal: See purpose statement.**Statutory authority for adoption:** RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, and 70.79.350**Statute being implemented:** Chapter 70.79 RCW**Is rule necessary because of a:**

Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE

April 3, 2007

NAME (type or print)

Craig Hopkins

SIGNATURE**TITLE**

Chair, Board of Boiler Rules

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 03, 2007**TIME:** 9:17 AM**WSR 07-08-090**

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Board of Boiler Rules

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Board of Boiler Rules	Tumwater, Washington	(360) 902-5270
Implementation....Linda Williamson	Tumwater, Washington	(360) 902-5270
Enforcement..... Linda Williamson	Tumwater, Washington	(360) 902-5270

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

The Board of Boiler Rules has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined that they do not require a small business economic impact statement because the costs associated with the proposed rules will not place a more than minor impact on any business or contractor and/or they are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310 (4)] from the small business economic impact requirements. The fees are exempt from the small business economic impact statement under RCW 34.05.328(5)(b)(vi).

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

A cost-benefit analysis was not prepared because the costs associated with the proposed changes are exempted by law since the proposed changes are updating the rule for clarification [see RCW 19.85.025 referencing RCW 34.05.310 (4) and RCW 34.05.328(5)(b)(vi)].